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Paper No. 11

SCULLY SCOTT MURPHY & PRESSER, PC  
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GARDEN CITY NY 11530

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JUL 22 2004

In re Application of  
KARIYAZAKI  
Application No. 09/876,396  
Filed: June 7, 2001  
For: SEMICONDUCTOR DEVICE

:  
: DECISION  
: ON PETITION  
:  
:

**OFFICE OF PETITIONS**

This is a decision on the petition filed October 6, 2003, under 37 CFR 1.137(a) to revive the above-identified application.

The petition to revive under 37 CFR 1.137(a) is **granted** and this application restored to pending status..

While the applicant and the examiner are not in agreement as to whether the reply of record is in compliance with 37 CFR 1.121, this application is nevertheless being revived with the reply of record. As noted in MPEP 711:03(c)), section IIIA(2)(a) p. 700-166 (May 2004), the acceptance of the reply by this office when granting a petition to revive is not a binding determination that the reply is entirely acceptable. The examiner may determine that the reply is not in compliance with 37 CFR 1.121 and send a notice to that effect. Applicant may concur with any subsequent notice and thereafter comply, or may petition under 37 CFR 1.181 any adverse holding by the examiner to the Group Director.

This application is being returned to Technology Center AU 2811.

Telephone inquiries related to this communication should be directed to the undersigned at (703) 305-1820. Questions relating to TC processing should be directed to the Technology Center

Brian Hearn  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner for  
Patent Examination Policy